

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PHUS030285WO	FOR FURTHER ACTION	See item 4 below
International application No. PCT/IB2004/051596	International filing date (<i>day/month/year</i>) 29 August 2004 (29.08.2004)	Priority date (<i>day/month/year</i>) 29 August 2003 (29.08.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KONINKLIJKE PHILIPS ELECTRONICS, N.V.		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i> .1(a).																								
2.	<p>This REPORT consists of a total of 7 sheets, including this cover sheet.</p> <p>In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.</p>																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 60%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input checked="" type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input checked="" type="checkbox"/>	Box No. VII	Certain defects in the international application	<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application
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<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application																							
4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																								

<p>The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No. +41 22 740 14 35</p>	<p>Date of issuance of this report 28 February 2006 (28.02.2006)</p> <p>Authorized officer Idhir Britel</p> <p>Telephone No. +41 22 338 70 60</p>
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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 24 NOV 2004

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To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/B2004/051596

International filing date (day/month/year)
29.08.2004

Priority date (day/month/year)
29.08.2003

International Patent Classification (IPC) or both national classification and IPC
H04B1/16, H04Q7/32

Applicant
KONINKLIJKE PHILIPS ELECTRONICS, N.V.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2004/051596

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2004/051596

Box No. II Priority

1. ☒ The following document has not been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-20
Inventive step (IS)	Yes: Claims	
	No: Claims	1-20
Industrial applicability (IA)	Yes: Claims	1-20
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following documents:

D1: US 6289228
D2: EP 1328066
D3: EP 0361350
D4: US 6104937
D5: US 6243399
D6: US 6600907
D7: US 6259724
D8: EP 0797308

2. **Article 33 PCT**

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of **claims 1, 7 and 14** is not new in the sense of Article 33(2) PCT.

- **Claim 1:**

The document D1 discloses a RF stage in a wireless station, comprising: (the references in parentheses applying to this document):

a detector for detecting a sequence in an incoming signal received (fig. 2 (116) and column 7, lines 5-8) by the wireless station and for generating an activation signal in response to detecting the sequence in the incoming signal (column 7, lines 5-33 and fig. 2 and fig. 3).

In addition, D2 and D3 and D4 also disclose all the features of claim 1 (see D2, column 7, lines 18-21 and fig. 1 and D3, column 1, lines 25-42 and see D4, column 2, lines 38-56, column 4, lines 2-10 and fig. 1).

- **Claim 7:**

D2 discloses a wireless station comprising:

a baseband stage (fig. 2 (C)) in a low power state when a signal is not received by the wireless station (column 2, lines 23-27); and a RF stage (fig. 2 (19, B, 14a)) for

detecting a sequence in a signal received by the wireless station and for generating an activation signal (column 7, lines 18-21 and fig. 2 (CONTROL SIGNAL, 18)) in response to detecting the sequence, wherein the activation signal is transmitted to the baseband stage to cause the baseband stage to transition from the low power state to an active power state (column 7, lines 18-40).

- **Claim 14:**
The subject-matter of independent **Claim 14** corresponds in terms of method steps to that of claim 1. The objections raised in respect of this latter claim, therefore also apply to independent **Claim 14**.
- 3. Dependent **claims 2-6 and 8-13 and 15-20** do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step for the following reasons:
 - **claims 2, 15 :**
see D2 (fig. 2 and column 7, lines 18-40) and D5 (fig. 1A and column 5 lines 26-37 and column 6, lines 33-39)
 - **claims 3, 10, 17 :**
The use of a delay circuit, a correlator and a peak detector is standard practice in detectors, see D6, claim 5
 - **claims 4, 11, 18 :**
The use of matched filters and peak detectors is common use in receivers, see D7, column 5, lines 35-41 and fig. 4 and fig. 7
 - **claims 5, 6, 12, 13, 19, 20:**
These claims contain features, each of which is merely one of several straightforward possibilities from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill, see D7, column 3, lines 23-27).
 - **claims 8, 16 :** see D2 (fig. 2 (19, B))
 - **claim 9 :** see D1

Re Item VII

Certain defects in the international application

1. On page 1, line 16 of the description there is a reference to an antenna 114 which does not appear on fig. 2
2. On page 4, lines 28 and 31, there is a reference to two figures representing signal waveforms. However, none of these two figures represent a signal waveform.

Re Item VIII

Certain observations on the international application (Article 6 PCT)

1. Although claims 1 and 7 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought. The aforementioned claims therefore lack conciseness and as such do not meet the requirements of Article 6 PCT.
2. The expression in claim 1 "a RF stage in a wireless station, comprising" is unclear because it is open whether the wireless station forms part of the claimed subject-matter or not.
3. Independent claim 7 comprises all the features of claim 1 and is therefore not appropriately formulated as a claim dependent on the latter (Rule 6.4 PCT).